

(Rader)

PTO/SB/106 (5-00)

Approved for use through 10/31/02. OMB 0651-0032
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Declaration and Power of Attorney for Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する：

As a below named Inventor, I hereby declare that:

私の住所、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

HUMIDIFYING DEVICE AND OXYGEN

CONCENTRATING SYSTEM

上記発明の明細書はここに添付されているが、下記の欄がチェックされている場合は、この限りでない：

の日に出願され、
 この出願の米国出願番号またはPCT国際出願番号は、
 _____であり、且つ
 _____の日に補正された出願（該当する場合）

the specification of which is attached hereto unless the following box is checked:

was filed on December 15, 2004
 as United States Application Number or
 PCT International Application Number
PCT/JP2004/019133 and was amended on
October 14, 2005 (if applicable).
(amendment under PCT Article 34)

私は、上記の補正書によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編規則1.56に定義されている、特許性について重要な情報を開示する義務があることを認める。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the need of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks.

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Japanese Language Declaration (日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または発明者証の出願、或いは米国以外の少なくとも一国を指定している米国法典第35編第365条(a)によるPCT国際出願について、同第119条(e)(d)項又は第365条(b)項に基づいて優先権を主張するとともに、優先権を主張する本出願の出願日よりも前の出願日を有する外国での特許出願または発明者証の出願、或いはPCT国際出願については、いかなる出願も、下記の枠内をチェックすることにより示した。

Prior Foreign Application(s)
外国での先行出願

<u>2003-416308 (Pat. Appln.)</u>	<u>Japan</u>
(Number) (番号)	(Country) (国名)
<u>2003-426457 (Pat. Appln.)</u>	<u>Japan</u>
(Number) (番号)	(Country) (国名)

私は、ここに、下記のいかなる米国仮特許出願についても、その米国法典第35編第119条(e)項の利益を主張する。

<u>(Application No.)</u> (出願番号)	<u>(Filing Date)</u> (出願日)
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私は、ここに、下記のいかなる米国出願についても、その米国法典第35編第120条に基づく利益を主張し、又米国を指定するいかなるPCT国際出願についても、その同第365条(c)に基づく利益を主張する。また、本出願の各特許請求の範囲の主題が、米国法典第35編第112条第1段に規定された態様で、先行する米国出願又はPCT国際出願に関する表示されていない場合においては、その先行出願の出願日と本国内出願日またはPCT国際出願との間の期間中に入手された情報で、連邦規則法典第37編規則1.56に定義された特許性に関する重要な情報について表示義務があることを承認する。

<u>(Application No.)</u> (出願番号)	<u>(Filing Date)</u> (出願日)
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<u>(Application No.)</u> (出願番号)	<u>(Filing Date)</u> (出願日)
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私は、ここに表明された私自身の知識に係わる陳述が真実であり、且つ情報と信ずることに基づく陳述が、真実であると信じられることを宣言し、さらに、故意に虚偽の陳述などを行った場合は、米国法典第18編第1001条に基づき、罰金または拘禁、若しくはその両方により処罰され、またそのような故意による虚偽の陳述は、本出願またはそれに対して発行されるいかなる特許も、その有効性に問題が生ずることを理解した上で陳述が行われたことを、ここに宣言する。

I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

Priority Not Claimed
優先権主張なし

15/December/2003

(Day/Month/Year Filed)
(出願日／月／年)

24/December/2003

(Day/Month/Year Filed)
(出願日／月／年)

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

<u>(Application No.)</u> (出願番号)	<u>(Filing Date)</u> (出願日)
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

<u>(Status: Patented, Pending, Abandoned)</u> (現況：特許許可、係属中、放棄)

<u>(Status: Patented, Pending, Abandoned)</u> (現況：特許許可、係属中、放棄)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Japanese Language Declaration (日本語宣言書)

委任状：私は本出願を審査する手続を行い、且つ米国特許商標庁との全ての業務を遂行するために、記名された発明者として、下記の弁護士及び／または弁理士を任命する。（氏名及び登録番号を記載すること）

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

封類送付先

Please direct all communications to the following address:
RADER, FISHMAN & GRAUER, PLLC
1233 20th Street, N.W., Suite 501
Washington, D.C. 20036
Telephone No. 202-955-3750; Facsimile No. 202-955-3751

直通電話送信先：（氏名及び電話番号）

And I hereby appoint the firm of Rader, Fishman & Grauer, PLLC, Customer Number 23353 including as principal attorneys: Richard D. Grauer, Reg. No. 22,388; David T. Nikaido, Reg. No. 22,663; Ronald P. Kananen, Reg. No. 24,104; Ralph T. Rader, Reg. No. 28,772; Carl Schaukowitch, Reg. No. 29,211; Michael D. Fishman, Reg. No. 31,951; Joseph V. Coppola, Sr., Reg. No. 33,373; Michael B. Stewart, Reg. No. 36,018; Alexander D. Rabinovich, Reg. No. 37,425; Kevin D. Rutherford, Reg. No. 40,412; Glenn E. Forbis, Reg. No. 40,610; Lee Cheng, Reg. No. 40,949; Kristin L. Murphy, Reg. No. 41,212; Robert S. Green, Reg. No. 41,800; James F. Kamp, Reg. No. 41,882; Brian K. Dutton, Reg. No. 47,255; Michael R. Bascobert, Reg. No. 44,525; Shawn B. Cage, Reg. No. 51,522

唯一または第一発明者氏名

Full name of sole or first inventor

Toshihiro Takeda

発明者の署名

日付

Inventor's signature

Date

August 7, 2006

住所

Residence

Chiyoda-ku, Tokyo, Japan

国籍

Citizenship

Japanese

郵便の宛先

Post Office Address

c/o TEIJIN PHARMA LIMITED, 1-1,

Uchisaiwaicho 2-chome, Chiyoda-ku,
Tokyo 100-0011, Japan

第二共同発明者がいる場合、その氏名

Full name of second joint inventor, if any

Morihiro Nishihira

第二共同発明者の署名

日付

Second Inventor's signature

Date

August 7, 2006

住所

Residence

Ichikawa-shi, Chiba, Japan

国籍

Citizenship

Japanese

郵便の宛先

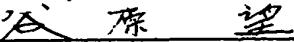
Post Office Address

1-18-11-106, Arai, Ichikawa-shi,

Chiba 272-0144, Japan

(第三以下の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)

第三共同発明者名	Full name of third joint inventor, if any Nozomu Tanihara		
第三共同発明者の署名	日付	Third inventor's signature	Date  August 7, 2006
住所	Residence Ube-shi, Yamaguchi, Japan		
国籍	Citizenship Japanese		
私書箱	Post Office Address c/o Ube Chemical Factory, Ube Industries, Ltd., 1978-10, Oaza Kogushi, Ube-shi, Yamaguchi 755-8633, Japan		
第四共同発明者名	Full name of fourth joint inventor, if any		
第四共同発明者の署名	日付	Fourth inventor's signature	Date
住所	Residence		
国籍	Citizenship		
私書箱	Post Office Address		
第五共同発明者名	Full name of fifth joint inventor, if any		
第五共同発明者の署名	日付	Fifth inventor's signature	Date
住所	Residence		
国籍	Citizenship		
私書箱	Post Office Address		
第六共同発明者名	Full name of sixth joint inventor, if any		
第六共同発明者の署名	日付	Sixth inventor's signature	Date
住所	Residence		
国籍	Citizenship		
私書箱	Post Office Address		

RECORDATION FORM COVER SHEET

PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies):

Toshihiro Takeda (08/07/2006), Morihiko Nishihira (08/07/2006) and Nozomu Tanihara (08/07/2006)

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance/Execution Date(s):

Execution Date(s): in parentheses after inventor name

- Assignment Merger Change of Name
 Security Agreement Joint Research Agreement
 Government Interest Assignment
 Executive Order 9424, Confirmatory License
 Other _____

2. Name and address of receiving party(ies)

Name: Teijin Pharma Limited

Internal Address: _____

Street Address:

1-1, Uchisaiwaicho 2-chome
Chiyoda-ku

City: Tokyo

State: _____

Country: JAPAN Zip: 100-0011

Additional name(s) & address(es) Yes No
attached:

4. Application or patent number(s):

This document is being filed together with a new application.

A. Patent Application No.(s)

10/583,029

B. Patent No.(s)

Additional numbers attached?

Yes No

5. Name and address to whom correspondence concerning document should be mailed:

Name: RADER, FISHMAN & GRAUER PLLC

Internal Address: Atty. Dkt.: AAO-0278

Street Address: 1233 20th Street, N.W.
Suite 501

City: Washington

State: DC Zip: 20036

Phone Number: (202) 955-3750

Fax Number: (202) 955-3751

Email Address: _____

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

Authorized to be charged by credit card

Authorized to be charged to deposit account

Enclosed

None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 18-0013
Authorized User Name Christopher J. Wickstrom

9. Signature:

Signature

May 10, 2007

Date

Christopher J. Wickstrom - 57,199

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents:

4

**RECORDATION FORM COVER SHEET
(continued)****Additional Conveying Party(ies)/Execution Date(s) (1. Continued):****Additional Assignees (2. Continued):**Assignee Name: Ube Industries, Ltd.

Internal Address:

Street Address: 1978-96, Oaza Kogushi, Ube-shi

City: Yamaguchi State: _____ Country: JAPAN Zip: 755-8633

Assignee Name: _____

Internal Address:

Street Address:

City: _____ State: _____ Country: _____ Zip: _____

Assignee Name: _____

Internal Address:

Street Address:

City: _____ State: _____ Country: _____ Zip: _____

Additional Applications and/or Patents (4. Continued):Additional Patent Application Numbers
4A. Continued:Additional Patent Numbers
4B. Continued:

Additional numbers attached?

 Yes No

RECORDATION FORM COVER SHEET

PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies):

Toshihiro Takeda (08/07/2006), Morihiko Nishihira (08/07/2006) and Nozomu Tanihara (08/07/2006)

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance/Execution Date(s):

Execution Date(s): in parentheses after inventor name

- Assignment Merger Change of Name
 Security Agreement Joint Research Agreement
 Government Interest Assignment
 Executive Order 9424, Confirmatory License
 Other _____

2. Name and address of receiving party(ies)

Name: Teijin Pharma Limited

Internal Address:

Street Address:

1-1, Uchisaiwaicho 2-chome
Chiyoda-ku

City: Tokyo

State:

Country: JAPAN Zip: 100-0011

Additional name(s) & address(es) attached? Yes No

4. Application or patent number(s):

A. Patent Application No.(s)

10/583,029

This document is being filed together with a new application.

B. Patent No.(s)

Additional numbers attached?

Yes No

5. Name and address to whom correspondence concerning document should be mailed:

Name: RADER, FISHMAN & GRAUER PLLC

Internal Address: Atty. Dkt.: AAO-0278

Street Address: 1233 20th Street, N.W.
Suite 501

05/11/2007 MKAYPAGH 00000130 180013 10583029

40.00 DA

City: Washington

State: DC Zip: 20036

Phone Number: (202) 955-3750

Fax Number: (202) 955-3751

Email Address: _____

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

- Authorized to be charged by credit card
 Authorized to be charged to deposit account
 Enclosed
 None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 18-0013
Authorized User Name Christopher J. Wickstrom

9. Signature:

Signature

May 10, 2007

Date

Christopher J. Wickstrom - 57,199

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents:

4

U.S. ASSIGNMENT

IN CONSIDERATION of the sum of One Dollar (\$1.00), and of other good and valuable consideration paid to the undersigned inventor(s) (hereinafter "ASSIGNOR") by

(Insert
ASSIGNEE's
Name(s)
Address(es))

1) TEIJIN PHARMA LIMITED

1-1, Uchisaiwaicho 2-chome, Chiyoda-ku, Tokyo 100-0011, Japan

2) Ube Industries, Ltd.

1978-96, Oaza Kogushi, Ube-shi, Yamaguchi 755-8633, Japan

(hereinafter "ASSIGNEE"), the receipt of which is hereby acknowledged, the undersigned ASSIGNEE hereby sells, assigns and transfers to ASSIGNEE the entire and exclusive right, title and interest to the invention entitled

(Title of
Invention)

HUMIDIFYING DEVICE AND OXYGEN CONCENTRATING SYSTEM

relating to International Patent Application PCT/JP 2004 / 019133 and/or for which application for Letters Patent of the United States was executed on even date herewith or, if not so executed, was:

(Insert date
of execution
of application,
if not
concurrent)

(a) executed on _____ :

Rader, Fishman & Grauer, PLLC,
Washington, U.S.A.

(b) filed on _____
Serial No. _____ / _____ :

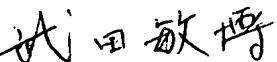
) is hereby authorized to insert in (b) the specified
data, when known.

and to said application and all Letters Patent(s) of the United States granted on said application and any continuation, division, reissue, substitute, reissue or reexamination application based thereon, for the full term or terms for which the said Letters Patent(s) may be granted and including any extensions thereof (collectively, hereinafter, "said application(s) and Letters Patent(s)").

The ASSIGNOR agree(s), when requested by said ASSIGNEE and without charge to but at the expense of said ASSIGNEE, to do all acts which the ASSIGNEE may deem necessary, desirable or expedient, for securing, maintaining and enforcing protection for said invention, including in the preparation and prosecution of said application(s) and the issuance of said Letters Patent(s), in any interference, reissue, reexamination, or public use proceeding, and in any litigation or other legal proceeding which may arise or be declared in relation to same, such acts to include but not be limited to executing all papers, including separate assignments and declarations, taking all rightful oaths, providing sworn testimony, and obtaining and producing evidence.

IN WITNESS WHEREOF, the undersigned inventor(s) has (have) affixed his/her/their signature(s).

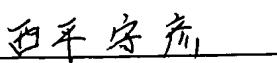
(Signatures)


(SIGNATURE)

Toshihiro Takeda

August 7, 2006

(DATE)


(SIGNATURE)

Morihiko Nishihira

August 7, 2006

(DATE)


(SIGNATURE)

Nozomu Tanihara

August 7, 2006

(DATE)

4) _____
(SIGNATURE)

(TYPE NAME)

(DATE)

5) _____
(SIGNATURE)

(TYPE NAME)

(DATE)

6) _____
(SIGNATURE)

(TYPE NAME)

(DATE)

7) _____
(SIGNATURE)

(TYPE NAME)

(DATE)

8) _____
(SIGNATURE)

(TYPE NAME)

(DATE)